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JOHNSTECH INTERNATIONAL CORP.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

JOHNSTECH INTERNATIONAL CORP.,

Case No. 3:14-cv-02864-JD

Plaintiff,

**JOINT STIPULATION AND ORDER
TO EXTEND TIME TO
COMPLETE MEDIATION**

JF TECHNOLOGY BERHAD , et al.

Defendants.

11. *What is the primary purpose of the following statement?*

The Court's Order dated December 3, 2014 (Dkt. No. 49) adopted the Parties' Stipulation and [Proposed] Order Selecting ADR Process pursuant to Civil L.R. 16-8 and ADR L.R. 3-5 (Dkt. No. 48), selecting as the ADR process for this case private mediation at JAMS in San Francisco to be completed by May 1, 2015.

The Parties have explored direct settlement discussions in advance of mediation and find the possibility of settlement to be remote at this time due in part to the Parties' differing views on the proper construction of the claims of the Patent-in-Suit. The Parties thus concur that mediation

1 is more likely to be successful following the Court's resolution of the Parties' claim construction
2 disputes.

3 The Parties have completed the disclosures required under Patent L.R. 4-1 and 4-2 and
4 succeeded in narrowing the disputed claim construction issues through the prescribed meet and
5 confer processes, as reflected in the Joint Claim Construction and Prehearing Statement filed on
6 April 6, 2015. (Dkt. No. 62.) The Court has not set a date for the Claim Construction Hearing.
7 Accordingly, the Parties hereby stipulate and respectfully request the Court to order that the
8 deadline for completing mediation shall be extended from May 1, 2015 to the date that is sixty
9 (60) days after the Court issues its claim construction order in this case.

10 There has been no previous modification of the deadline for completing mediation. The
11 requested time modification would have no effect on the schedule for this case other than the date
12 requested to be changed.

13 This stipulation is accompanied by the Declaration of Shawn G. Hansen filed concurrently
14 herewith in accordance with Civil L.R. 6-2(a).

15 Dated: April 13, 2015

NIXON PEABODY LLP

16 By: /s/ Shawn G. Hansen
17 Shawn G. Hansen

18 *Attorneys for Defendants*

19
20 Dated: April 13, 2015

ANTHONY OSTLUND BAER &
LOUWAGIE P.A.

21 By: /s/ Courtland C. Merrill
22 Courtland C. Merrill

23 *Attorneys for Plaintiff*

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25 CIVIL L.R. 5-1(i)(3) ATTESTATION

26 Pursuant to Civil L.R. 5-1(i)(3), the filer of this document attests that concurrence in the
27 filing of the document has been obtained from each of the other Signatories.

1 PURSUANT TO STIPULATION, IT IS SO ORDERED:
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5 Dated: April 21, 2015
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